

(c) Paragraph (3) of section 921(b), subsections (c), (e), and (f) of section 922, section 924(b), and subsections (b) and (c) of section 925 of such title are amended by striking out the phrase "by imprisonment for a term exceeding one year" wherever it appears and inserting in lieu thereof the words "as a felony".

Sec. 2. Subsection (c) (2) of section 1202 of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351) is amended to read as follows:

"(2) 'felony' means, in the case of a Federal law, an offense punishable by imprisonment for a term exceeding one year and, in the case of a State law, an offense determined by the laws of such State to be a felony."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1500) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD as follows:

PURPOSE

The purpose of the bill is to amend the definition of "felony" in title IV (adding ch. 44 of title 18, U.S.C.) and title VIII of the Omnibus Crime Control and Safe Streets Act of 1968.

STATEMENT

In both titles IV and VII of the Omnibus Crime Control and Safe Streets of 1968, restrictions on the acquisition and ownership of firearms are placed upon persons convicted in either State or Federal courts of a felony which is defined as a crime punishable by imprisonment for a term exceeding 1 year. Title IV also places restrictions on persons under indictment or fugitives from justice as to such crimes.

After investigation of the applicable State laws, the Judiciary Committee has found that several State legislatures have a practice of making essentially trivial offenses broadly punishable in order to give the sentencing judge discretion in dealing with repeated offenders or particular cases involving aggravated circumstances. In other words, many crimes which would traditionally be classed as misdemeanors are punishable by more than 1 year in prison in some States.

Consequently, the committee believes that, the sections of the Omnibus Crime Control and Safe Streets Act of 1968 may have far-reaching consequences on the right of persons convicted under State law in the past of relatively minor misdemeanors to acquire and possess firearms.

The original act recognizes in part, that there should be a differentiation between right of those convicted of a serious crime and those convicted of a minor offense to acquire and possess firearms. For example, title IV excludes certain business and regulatory offenses from the act; however, this exclusion does not apply to title VII which would have the greatest impact on a citizen's right to purchase a firearm.

Therefore, the committee feels that the purpose of titles IV and VII would be better served by changing the definition of the word "felony" as used in the act to mean, in the case of Federal law, an offense punishable by imprisonment for a term exceeding 1 year, and, in the case of State law, an offense determined by the laws of such State to be a felony.

PROPOSED CHANGES IN THE ELECTORAL SYSTEM

Mr. MANSFIELD. Mr. President, on June 17 of this year, the distinguished ranking Republican in this body, the senior Senator from Vermont [Mr.

AIKEN], the distinguished junior Senator from Kansas [Mr. PEARSON], the distinguished senior Senator from Wisconsin [Mr. PROXMIER], and I introduced joint resolutions, seeking to bring about a change in the present electoral system. One of the resolutions provides for a national primary to replace the happenstance primaries which are used today, and which are so expensive and so inconclusive as well. This resolution would also abolish the electoral college. Another of these resolutions would extend the right to vote to 18-year-olds—a privilege our young people have earned for a number of well-authenticated reasons. Finally, there is included a resolution that calls for a limit on the Presidency of one 6-year term.

No mention was made of conventions in the resolutions, because the convention itself is an extralegal institution. Conventions do not come within the laws of the United States, either those enacted by Congress or under the Constitution.

With these resolutions, it was not necessarily our intention to abolish conventions as such, but simply to do away with the convention as it exists and is used today. However, it was our intention to provide that the national primaries—not the delegates—be the voice of the people in selecting the nominees for the Presidency and the Vice-Presidency of the major parties. It was our intention to provide that, once the choices had been made in the national primaries, a convention might then be convened and attended in the main by the State chairmen and chairwomen, the national committeemen and national committeewomen, and the members of the respective national committees located in Washington.

At the time it was thought that once the people, not the delegates, had made their choice, this convention of the major representatives of the parties in question could then determine what remained to be done.

Mr. President, I rise at this time to ask of the distinguished chairman of the full committee, the senior Senator from Mississippi [Mr. EASTLAND], and the chairman of the Subcommittee on Constitutional Amendments, the distinguished Senator from Indiana [Mr. BAYH], to hold hearings on these proposals this year; because, while we are approaching the end of a session, I believe it never will be too soon to face up to the problem which confronts us at this time, which was shown so graphically to the American people and to the world during the past several weeks and months.

A VETERANS' STANDING COMMITTEE IN THE SENATE

Mr. DIRKSEN. Mr. President, the fact that the American Legion convention will be held in New Orleans beginning Monday, September 9, is a reminder that we have never done anything with the resolution calling for the creation of a Veterans' Standing Committee in the Senate. That matter has been debated and discussed on the Senate floor and in committees, individual Members

have ventilated their views on it from time to time, and several rather yeoman-like efforts have been made in order to consummate this matter.

I observe now that the convention of the majority party adopted in their platform a provision putting that party on record in favor of such a committee. We have been on record on that matter for quite a long time. My understanding is—and I am not sure whether I am correctly informed—that the resolution is presently pending before the majority policy committee, and therefore that committee has not reported on it, and that is the reason why the resolution is not on the Senate floor.

The distinguished majority leader could probably advise me about that. But it does take on a new character in view of what is recited in the 1968 platform of the majority party.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I can well appreciate the concern of the distinguished minority leader, and I am indebted to him for calling to my attention the fact that this particular plank is in the Democratic platform.

I would point out that this body, some months ago, passed a legislative reorganization bill in which it was stipulated that a Committee on Veterans' Affairs would be created.

It has been the hope of the policy committee, and it is still the hope of the policy committee, regardless of events over the past several weeks prior to the recess on August 2, that the House would see fit, in its wisdom, to take up this long overdue measure dealing with legislative reorganization and approve it, so that in that manner there would not be a duplication of effort on the part of the Senate through the consideration of a new proposal.

However, I wish to assure the distinguished minority leader that if the House of Representatives does not take any action, this matter will once again be brought before the policy committee and, hopefully, action will be taken then.

Mr. DIRKSEN. Mr. President, I am encouraged by the words of the distinguished majority leader. I am quite certain, from consultations with House leaders, that they will undertake nothing in this regard. They are reluctant at this stage of the session to undertake anything more, and I was afraid the matter probably would die by default.

I earnestly request the distinguished majority leader to ask his policy committee about this matter in the hope that we can at least make a start and get this matter before the Senate for approval and lift it out of the reorganization bill.

Mr. MANSFIELD. Is the Senator certain in his own mind that the House of Representatives will not consider the legislative reorganization bill which passed this body so overwhelmingly?

Mr. DIRKSEN. Based on the assertion of leaders there, that is correct.

Mr. MANSFIELD. On that basis I will once again be happy to take it up with the policy committee.

Mr. DIRKSEN. I thank the majority leader.

Mr. LAUSCHE. Mr. President, I should like to address myself briefly to the statement made by the majority leader, the Senator from Montana [Mr. MANSFIELD], concerning the joint resolutions which he and other Senators have presented to the Senate asking for the abolition of the electoral college and the provision that candidates for the presidency of the respective political parties shall be chosen by direct vote of the people rather than by delegates chosen by political bosses in big cities and having the delegates vote in accordance with what is sometimes a warped judgment and, in many instances, not at all reflecting the thinking of the people within their States.

It is rather an anomaly to believe that in this modern day, with all the talk about the one-man, one-vote principle applicable to many operations of Government, we still adhere to a policy adopted more than 180 years ago providing for an electoral college to choose the President.

Every bit of reasoning argues for the elimination of the electoral college. Cold rationalization, delicate consideration of justice, all cry out within our democracy that presidential nominees shall be chosen on the same basis as the eventual President is chosen; namely, by direct vote.

Mr. President, I do not know whether I can have my name added as a cosponsor of the joint resolution introduced by the Senator from Montana. If I can, I ask unanimous consent that I may be permitted to become a cosponsor.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

THE COMMUNIST WORLD IS BREAKING UP

Mr. YOUNG of Ohio. Mr. President, it is evident from the invasion of Czechoslovakia that the present rulers of the Kremlin are fearful that the Communist world is breaking up. The invasion and subjugation of Czechoslovakia, an independent nationalist Communist country and a part of the Soviet bloc of European nations, is the most shocking aggression that has occurred since Hitler's conquest of Czechoslovakia with his storm troopers and air power in 1939. This is a particularly shocking manifestation of the apparent fear on the part of leaders of the Kremlin of this small Communist nation displaying self-government free from Soviet domination.

Top officials in the British Foreign Office and some U.S. ambassadors in Europe are convinced that the invasion of Czechoslovakia marks the beginning of the end of international communism. Also, Prof. Zbigniew Brezinski, for many years director of the Research Institute of Columbia University on Communist Affairs and regarded as an authority on international communism, stated:

The Soviet Union had the choice of either accepting a community of independent Communist states and thereby acting in the spirit of Communist internationalism or of

acting like a major imperialist power motivated purely by nationalist interests. The Soviet Union chose the latter course.

If the reactionary elements in the Kremlin prevail in subjugating Czechoslovakia, then it may be that they will commence to bring pressure against Rumania and Yugoslavia which, very definitely, are not Soviet satellites but are nationalist Communist countries.

Dubcek and other leaders in Czechoslovakia sought to transform communism in their own country on the model of Tito's Yugoslavia. They and Communist leaders in Rumania are veering toward capitalism. Evidently the hard-line Communists of the Soviet Union feared this further breaking away from the Soviet Communist orbit. It is terrifying that the Soviet leaders in apparent desperation are defying the opinion of the world by a military takeover of this little country seeking to pursue its own course of development and change. It appears that the forces of reaction, the old Stalinist crowd in the Kremlin, now becoming desperate and acting in disregard to world opinion, seek to extinguish by force the national aspirations for self-government which animate not only the leaders in Czechoslovakia but the leaders in Yugoslavia, Rumania, Hungary and other nations of Eastern Europe.

The frightened Communist leaders in the Soviet Union are seeking to preserve the old order. This will only speed its disintegration. Czechoslovakia sought to and will continue to be a nationalist Communist country on the order of Tito's Yugoslavia. The conservative Communist leaders in the Soviet Union, fearing that the liberalization of the Communist Party in Czechoslovakia was a threat to them, in desperation invaded this little country, tiny in comparison with the vast expanse of the Soviet Union and with a population of only 14 million. In the end they are bound to fail and the old communism of the Soviet Union, to use a Marxist phrase, is destined to the scrap heap of history.

This invasion and crushing of Czechoslovakia does not solve any problems for the Russians. It creates new problems. It may be, and let us hope this will happen, that reason will prevail in Moscow and that the Russians will withdraw their forces from Czechoslovakia. However, if they do not and if these bitter men continue to hold power in the Kremlin, then the entire free world has reason to be fearful of the Soviet Union. This was a blunder on the part of Communist leaders of Russia. Nevertheless, blunderers in charge of a powerful government such as the Soviet Union are even more dangerous to the peace of the world than wicked, but wise leaders. We know now that the present leadership in Moscow in some state of desperation was capable of committing this stupid act, so who knows but that they might try to pull the free world back to that era of Stalin which we all hoped was behind us.

The invasion and takeover of Czechoslovakia, an independent Communist nation, is an affront to national decency and a despicable act of aggression against a valiant, but defenseless people who seek to build a nation nominally depend-

ent upon the Soviet Union but, in fact, free of domination on the part of that Communist giant. It is a grave misfortune that this little nation of Czechs and Slovaks who united in one nation total but 14 million people, has been taken over by 500,000 invading fighting men. If the United Nations offers any hope of maintaining peace in the world, the time is at hand for this agency to take appropriate and forthright action. The world should not be compelled to witness such a crude and brutal display of power and force and must not permit to be extinguished the national aspirations for self-government within the Soviet bloc which animate not only the Czechs and Slovaks but the Hungarians and Rumanians as well. No doubt it is for these reasons that the Soviets struck without warning.

The treachery of the Russian imperialists and their contrived transparent falsification of reasons for the invasion and occupation of Czechoslovakia have caused turmoil again in the cold war that envelops the world today. It was the hard-line attitude of a few members of the Central Committee of the Communist Party that was being challenged by the liberalism of the Czech party leader, Dubcek, and Premier Oldrich Cernik. This challenge was succeeding in its fight to liberate the soul of Czechoslovakia from its bondage to the Soviet Union. But the bellicose and reactionary men in the Kremlin saw this new political leadership as dangerous and too independent of the ideals and principles of the U.S.S.R.; therefore, they ordered the military invasion of Czechoslovakia. Their attempt to forcibly remove the specter of freedom from the Czech spirit has actually inadvertently succeeded in strengthening the Czechoslovaks' will to fight for freedom and independence of their homeland.

The chaotic events of the Russian-led occupation have made clear that the mood of the Czechoslovaks is not to be dominated by the sphere of Soviet influence or controlled by the military strength of Soviet forces. It is clearly evident that the Russians made a political blunder of unimaginable dimension when they first seized Dubcek and led him away manacled.

The people of Czechoslovakia have overwhelmingly rejected any denunciation of Dubcek and any compromise with Moscow. They seek and hope for full restoration of their political sovereignty and complete withdrawal of the Soviet occupation forces.

The courage of the Czechs has opened the eyes of all people to the deplorable and treacherous tactics used by the Soviet Union in order to exert her influence. It has also opened their eyes to the other deplorable situations existing throughout the world. Today the Russians stand side by side with the United States for condemnation by other countries for aggression. The circumstances of the Czechoslovakian invasion and the war in Vietnam are not directly similar, but their purposes are now seen as one by many people of this Nation and those of other nations. We, as well as the Russians, must desist from this violent and

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inexcusable use of force to spread our ideals and principles.

Alexander Dubcek is a true representative of the aspirations of his countrymen to throw off the yoke of Soviet control. He sought to humanize communism. He sought to bring some degree, even a small degree, of democracy and decency to his people and to deviate only slightly from the Leninist Communist doctrine. Because of this he was arrested, handcuffed and taken to Moscow. Now he has been returned to Prague. Let us hope this is a first step on the part of the Russians to permit the return of self-rule to that presently unhappy country. The entire civilized world should ring with condemnation of the Soviet Union. Then let us hope the Russians will withdraw from Czechoslovakia as they did from Cuba in October 1962.

BATTLE OF AVERASBORO

Mr. ERVIN. Mr. President, on August 18, 1968, I had the honor of making the dedicatory remarks at the unveiling of a beautiful monument to the memory of the soldiers of the Confederacy commanded by General Hardee who fought the Union forces commanded by General Slocum at Aversboro in Harnett County, N.C., on March 15 and 16, 1865.

I ask unanimous consent that a copy of my remarks on that occasion be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE BATTLE OF AVERASBORO

As one who venerates the precious heritage of valor and sacrifice bequeathed to us by the men and women of the Confederacy, I am grateful for the privilege of being with you on this memorable occasion.

We meet upon an historic battlefield to dedicate a beautiful monument which pays reverence to the soldiers of the Confederacy who fought the Battle of Aversboro at this spot 103 years ago.

We do well to do this.

"If their memories part
From our land and Heart,
'Twould be a wrong to them,
And a shame for us."

It seems appropriate to consider the events which precipitated the Battle of Aversboro, and the role which those who fought the battle undertook to play.

After the fall of Atlanta on September 1, 1864, the victorious Union forces under General Sherman and their infamous camp followers, "the bummers", waged total war against the people of Georgia and the Carolinas. In so doing, they pillaged and burned and in that way lay waste the areas they traversed.

Their objective in carrying on this cruel form of warfare against the civilian population of Georgia and the Carolinas was twofold: First, to disable these States to continue supplying Lee's Army of Northern Virginia, which faced Grant's Army of the Potomac before Richmond and Petersburg; and, second, to weaken the will of the South to prolong the conflict.

As Sherman knew, nothing could have been more demoralizing to the thousands of Georgians and Carolinians fighting with Lee in Virginia than the sad tidings that the virtually defenseless folks they had left behind in comparative safety were being badgered and plundered by a relentless foe and its vicious camp followers.

With 80,000 combatants, Sherman ended his notorious "March to the Sea" at Savannah in December, 1864. Shortly thereafter, in January, 1865, he moved northward across South Carolina by way of Columbia, Florence, and Cheraw, looting and burning as he went. By March 8, his entire army reached the neighborhood of Laurel Hill in what is now Scotland County, North Carolina. From that place he proceeded to Fayetteville, which he occupied on March 11, destroying the public buildings and the industrial plants and extending his pillage throughout the adjacent area.

During the last part of his march from Savannah to Fayetteville, Sherman was preceded by a force of retreating Confederates, whom he outnumbered 10 to 1 and whose mission it was to watch and report his movements. These Confederates were commanded by an intrepid Georgian, General William J. Hardee, one-time commandant at West Point and author of "Hardee's Tactics."

Hardee crossed the Cape Fear River shortly before Sherman entered Fayetteville, and took position near Aversboro in Harnett County on the road leading from Fayetteville by way of Smithfield to Raleigh, which traversed at this point the area lying between the Cape Fear on the west and the Black River on the east.

At this time Hardee's command totaled 6,000 men. Among them were the officers and men of the Fiftieth North Carolina Regiment commanded by Colonel George Wortham, the Seventy-Seventh North Carolina Regiment commanded by Lieutenant Colonel Wheeler Hancock, and the Tenth North Carolina Battalion of Heavy Artillery commanded by Major Wilton L. Young. These North Carolina units constituted a part of the brigade commanded by Colonel Washington M. Hardy and of the division commanded by General Lafayette McLaws, one of the work horses of the Confederacy.

It is worthy of note that Company H of the Fiftieth North Carolina Regiment, which was captained by Joseph H. Adkinson, and Company B of the Tenth North Carolina Battalion, which was captained by H. M. Barnes, were composed in large measure of residents of Harnett County.

While Sherman was marching northward through South Carolina, General Lee had dispatched General Joseph E. Johnston, a tactician who could do much with little, to North Carolina with instructions that he should assemble all the available Confederate units operating in the area at some suitable place and obstruct Sherman's further advance.

Johnston was implementing Lee's instructions when Sherman seized Fayetteville. Being uncertain whether Sherman would attempt to capture Raleigh, the Capital of the State, or move on Goldsboro to join General Schofield, who had been directing Union operations in eastern North Carolina before his advent, Johnston undertook to concentrate the remnants of the once powerful Army of Tennessee, General Robert F. Hoke's division, General Wade Hampton's cavalry, and other units in the vicinity of Smithfield midway between Raleigh and Goldsboro. He expected Hardee to join him soon. Because of the disparity between the 14,000 men available to him and the 80,000 available to Sherman, Johnston realized that his hope of success was contingent on his striking and defeating separate columns of the foe while Sherman's forces were divided.

At this juncture Sherman turned his army east toward Goldsboro. His Fourteenth and Twentieth Corps under General Slocum undertook to proceed by way of Aversboro and Bentonville while his Fifteenth and Seventeenth Corps marched on a parallel road some miles to the South.

Johnston ordered Hardee to delay Slocum at Aversboro so that he could complete the concentration of his forces and be ready to

strike the Fourteenth and Twentieth Corps on their arrival at Bentonville.

These events precipitated the Battle of Aversboro, which is well described in Captain Samuel A. Ashe's "History of North Carolina." I quote his words:

"Hardee, on crossing the Cape Fear, took the road leading to Smithfield and Raleigh. On the 15th of March he occupied a position four miles from Aversboro, and that evening a Federal column, being the Fourteenth and Twentieth Corps, approached and there was some skirmishing. Hardee's position was well chosen, the Black River nearly approaching the Cape Fear at that point, and he made excellent dispositions, but had only six thousand men. Early the next morning the Federals, General Sherman being on the field in person, attacked with vigor, using their artillery to advantage; but their infantry was always repulsed. In the early afternoon they moved a heavy force farther to the east, completely flanking the left of Hardee's position, which necessitated a retirement of that wing about four hundred yards to the main line. Here again and again, every assault was repulsed. During the night the Federals proceeded to fortify their position and threw heavy columns across Black River; and Hardee, being thus flanked, fell back towards Smithfield, leaving Wheeler's men in position."

Thus ended the Battle of Aversboro, a fight in which Union casualties totaled 682, and Confederate losses approximated 500.

By his gallant delaying action at Aversboro, Hardee enabled Johnston to concentrate his total available forces of 14,000 men and boys at Bentonville. Here, on March 19, Johnston surprised Sherman's Fourteenth Corps. John Gilchrist Barrett summarized the Battle of Bentonville in this wise in his "North Carolina as a Civil War Battleground":

"For awhile it looked as though the Confederates would carry the day, but Federal reinforcements late in the afternoon blunted the Confederate offensive. More Union troops reached the field during the 20th, and by the 21st Sherman had his entire Army at Bentonville. That night Johnston withdrew his forces to Smithfield. Sherman was victorious at Bentonville, the largest battle of the war fought on North Carolina soil, yet he failed to follow up his success by pursuing the enemy. Instead he marched his army into Goldsboro."

Bentonville was the bloodiest battle ever fought in North Carolina. Confederate casualties amounted to 2,606, and Union losses totaled 1,646.

Despite the valor displayed by her sons at Aversboro, and in hundreds of other engagements on land and sea, the doom of the Confederacy was sealed by Grant's war of attrition against Lee in Virginia, and Sherman's total war against the people of Georgia and the Carolinas. As a consequence, Lee capitulated to Grant at Appomattox on April 9th, and Johnston surrendered to Sherman at the Bennett House near Durham on April 26th.

The conquered banner was now furled.

When one ponders the story of the soldiers and sailors of the Confederacy who fought at Aversboro and in countless other engagements on land and sea, he cannot avoid putting this question to history: What inspired these men to fight so bravely, always against great odds and oftentimes unto death?

The assertion that they fought to perpetuate slavery does not suffice to answer the question. Most of them did not own or expect to own a single slave. Indeed, few of them had any material stake whatever in the victory of the Confederacy.

The question has been answered by one who knew these men well and loved them much. Almost 2 score and 10 years after he had served with gallantry as a lieutenant of the Confederacy at Gettysburg, Dr. Randolph

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McKim, a beloved Episcopal minister of Washington, answered the question in words of unforgettable beauty, which are engraved upon the memorial erected by the United Daughters of the Confederacy to the Confederate dead at Jackson Circle in Arlington National Cemetery.

Here are Dr. McKim's words:

"Not for fame or reward, not for place or for rank, not lured by ambition or goaded by necessity, but in simple obedience to duty as they understood it, these men suffered all, sacrificed all, dared all, and died."

As we meet upon this battlefield and dedicate this beautiful memorial to the soldiers of the Confederacy who fought here, we know that they and their comrades who fought elsewhere on land and sea taught by example this precept of their great chieftain, Robert E. Lee: "Duty . . . is the sublimest word in our language."

Like the memorial to the Spartans who fell at Thermopylae, this is a monument to the vanquished and not to the victors.

I end with a prayer. As long as fame her record keeps, may this memorial join history in bearing to the generations the message that the soldiers and sailors of the Confederacy fought for the cause they loved in simple obedience to duty as they understood it and that they illustrated by their lives and by their deaths in a fashion unsurpassed in the annals of time this eternal truth:

"Defeat may serve as well as victory,
To shake the soul and let the glory out."

OUR NATIONAL PARKS

Mr. SCOTT. Mr. President, our national parks are a source of pride to all as well as an oasis for healthful relaxation and enjoyment. I think it is especially noteworthy at this time that they will be the feature attraction of an event scheduled for the television screen. I refer specifically to the National Geographic special which will be seen as an hour-long color presentation over the full CBS national network on October 23. I consider this of such significance as to warrant our attention and endorsement for its educational and entertainment value.

The first of four National Geographic specials, this program will be an informative, entertaining, and realistic documentation of people, places, and events in our national parks. It will honor the men of our Park Service in telling their story of dedicated service. Its entire content will provide the kind of wholesome, worthwhile television fare that can be welcomed into every American home without question as to its appropriateness or propriety. This is in marked contrast to the all too familiar themes of violence and sex on television and is, I believe, worthy of our commendation.

It is a source of pride to me personally that one of the Nation's great corporations with headquarters in the Commonwealth of Pennsylvania, the Hamilton Watch Co., of Lancaster, has chosen to cosponsor these programs which represent television at its highest level of quality and good taste.

The very nature of the National Geographic specials, as well as their value to people of all ages throughout the country, inspired Hamilton sponsorship. Each of these programs offers an hour of great beauty and lasting value, qualities traditionally associated with Hamilton's fine watches.

There is evidence that the public recognizes and values these qualities. Last year, the National Geographic specials attracted audiences of up to 40 million people. One of the programs based on the Amazon River received the Peabody Award which is the television industry's highest honor for excellence. The series has been widely acclaimed by critics for the artistic merit reflected in its programs. It also has been praised by educators throughout the country for its significant treatment in dealing with subjects of lasting interest and importance. Many teachers assign National Geographic programs as required viewing, because they have found these shows stimulate students' curiosity and eagerness to learn through a fine combination of education, entertainment and real-life adventure.

The National Geographic Society has been producing four television specials a year since the 1965-66 season. As Senators know, it is headquartered right here in the Nation's Capitol and has been a successful publisher for the past 80 years. During more than 60 years of this time Hamilton has supported the society with advertising. I believe this is the oldest advertiser-publisher relationship in the history of American magazine publishing. The extension of this fine relationship into television is a very favorable development toward assuring worthwhile programs and illustrates for us how commercial interests can produce both profits and artistry for the furtherment of man's knowledge and culture.

In this major investment in national television, Hamilton joins another outstanding American company—Encyclopedia Britannica, a continuing sponsor of the National Geographic specials. Encyclopedia Britannica's interest in education and in the youth of America is well known. Its standards of quality parallel those of Hamilton. Under the cosponsorship of these two great business organizations, the October 23 program on our national parks will take audiences on a trip of adventure from Hawaii to Cape Cod, from Maine to the Virgin Islands to show how the men of our park service face a continuing challenge, excitement and even danger.

I feel these fine organizations are to be congratulated for their business statesmanship in selecting a television program that furthers the public's interest in and knowledge of our national parks, a source of great pride to all of us as individuals and as a nation.

NLRB INTERPRETS TAFT-HARTLEY ACT TO MEAN MORE THAN CONGRESS INTENDED, WISHED, OR IMAGINED

Mr. ERVIN. Mr. President, the current issue of the Small Business Bulletin, published by the National Small Business Association, contains an article written by me describing the recent hearings held by the Subcommittee on Separation of Powers on the National Labor Relations Board and its relationship to Congress and the courts.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

NLRB INTERPRETS TAFT-HARTLEY ACT TO MEAN MORE THAN CONGRESS "INTENDED, WISHED, OR IMAGINED"

(By Senator SAM J. ERVIN, Jr., Democrat of North Carolina chairman, Senate Judiciary Subcommittee on Separation of Powers)

(About the author: Senator Ervin, always aware of and sympathetic to the problems of the small business man, has again rendered the country a great service by conducting hearings on the National Labor Relations Board and the way it functions. Labor law and its application by the NLRB is one of the most sensitive areas of government relations for the small business community, yet Congress, except for Senator Ervin's Subcommittee hearings, has given scant review to whether the NLRB is obeying the will of Congress.)

Earlier this spring the Senate Judiciary Subcommittee on Separation of Powers conducted a series of hearings on the National Labor Relations Board. The object was to determine how faithfully the agency has been performing its congressional mandate to administer the nation's labor statutes.

The Subcommittee on Separation of Powers is part of the Senate Judiciary Committee and, unlike the Labor Committee of Congress, is not expert in the field of labor law. Its study was undertaken to determine how well the Board has been performing its role—whether it has applied labor law as declared by Congress or whether, on the contrary, it has applied the law according to its own notions of proper national labor policy. The Subcommittee's object was not to evaluate the desirability of the congressional policy or to propose substantive changes in it.

Notwithstanding the many hours of hearings and hundreds of pages of testimony received in the past few months, the Subcommittee has barely scratched the surface of so complicated a subject as the NLRB's administration of labor law. A thorough review of this subject requires the full-time attention of a Senate subcommittee expert in the field. A number of tentative findings can be made, however, based on a preliminary evaluation of the testimony.

First, the Congress has been lax in the exercise of its responsibility to oversee the Board's administration of labor law.

Despite the continuous controversies surrounding its administration, there have been only a few congressional investigations of the Board since 1947 and these have been devoted to fairly limited aspects of its jurisdiction. The Board's actions have been subject only to restricted review by the courts. As the hearings demonstrated, judicial review is inadequate to ensure that Board-sponsored erosion of statutory language does not occur.

Second, it is clear that in a number of areas the Board has developed a law governing labor relations which has little relevance to statutory language.

Union members no longer have the same right to obtain decertification elections that Congress provided in the Taft-Hartley Act. Their statutory rights have been narrowed and modified by a number of Board-evolved doctrines, with the end result that it is extremely difficult for employees to disestablish a union once it gains majority status. Similarly, employees' statutory rights to refrain from union activities have been qualified and limited by Board decisions which stress organized action. In some circumstances the right to refrain is, in practice, completely at the mercy of the union leadership. Language defining bargaining rights, the duty to bargain, and the class of topics which are subject to bargaining has been "interpreted" by the Board in such a way that the statutory phrases now mean more than Congress intended, or would have